App F IX 4

Previous References

CRB 12-40-13
MC 126-41-(1-4)

Later References

194344 (MC) MC **File No** 11-43

Serial Nos 78, +79

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for C March 1944

SUBJECT

Fixing the seniority between Messrs B K Srinivasa Murthy and S A Shamanna permanent clerks in the grade of 40-2+50 in the Mys Ctyonl Office

To Fin P&B HC Mys
~ 5951 & 27/2/44

Directs that Mr B K Srinivasa Murthy should be placed above Mr S A Shamannacah

[illegible]

Letter No. M4 252/43-44 Dy 21-12 43 from the Addl, city mc cl, Mysore, forwarding for orders of Govt the papers relating to the fixing of Seniority between Messrs B R Srinivasa murthi and S A Shamanna permanent clerks in Grade 40 2 50 in the city mc office, Mysore

Subd The details of Pay and service of each official are furnished

The comptroller may perhaps be consulted in the matter

KNS 26/12

References quoted in the P-M-D are not quite necessary for arriving at a decision in the case Pl attend to it in the first instance - Law 28/12/43

Subd with the available references.

KNS 11/1

The remarks of the Comptroller may perhaps be Marked with reference in the matter -

Law 12/1/44

Law 12-1-44

Forwarded with Compliments to the Comptroller to Govt for favour of remarks

By order

Law Secy to Govt Law Dept

6618

20 NO 190 13-1-44 660 Apl 13 Jan 44 CLAD

ML 12/1/44

53/CA Bdy 15/1

Continuation Sheet | File No / Current No | of 3903/L Page

678/Cpl 8 2 44

U O No 271/CLAD Dated, the 4th February 1944

Returned with compliments --

It is seen from the Service Registers of the two Officials that Lr B R Srinivasa Murthi was confirmed in grade 40-2-50 on 21-5-1941 while Lr S A Shamanniah was confirmed in the same grade from a later date viz , 4-12-41 For purposes of seniority in the grade, Mr Srinivasa Murthi should be placed above Lr S A Shamanniah, in accordance with the Rules of Recruitment The then President seems to have ordered accordingly as seen from the printed copy of the Gradation List as on 1-12-1941 It is not clear why this arrangement was subsequently changed placing Mr Shamanniah above Mr B R Srinivasa Murthi As stated by the present President in Para 4 of his letter dated 20-12-4 the higher pay drawn by Mr Shamanniah as also the superior general qualification of this official may have weighed for a reconsideration of the arrangements ordered in the first instance

COMPTROLLER

If approved, the President, Mysore Mint will be informed as at A above The H Secy may also be consulted

WD 0972—GPB—10 000 -21-10-42

The precedent may be
referred accordingly
Ans
9 2 44
Secy
27
3974) There is no financial grant
involved
1 2
19 2 44
Ans
23 2 44

put up with a draft letter for approval in
WKS - accordance with the comptroller's
25/2 Law Secy) Ans
25/2/44
Ans
26 2 44
Issue
Ans
26/2/44

To the Dept, of Indl, Secy vide No L 8951 dt 27-2-44
States that Mr BR Srinivasa murthy may be placed above Mr Shamanna

WD 01809—GPB—60 000—26 1 43

No M4 252/43 44
Encl (two graduation lists + Seniority papers)

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 20 Dec 1943

ML1143-78/21

SECRETARIAT 3903 C 1943 BRANCH

From

R Ramachandra Rao Bhombore, Esq , B A ,

PRESIDENT CITY MUNICIPAL COUNCIL

MYSORE

To

SECY LAW DEPT 22 DEC 1943 GOVT OF MYSORE

C Narayanaswamy Naidu, Esq , B A , B L ,
Secretary to Government, Law Department,
Bangalore

Sir,

Subject - Fixing of seniority between Messrs (1) B R Srinivasa Murthy and (2) S A Shamanniah permanent clerks in grade Rs 40-2-50 of the City Municipality, Mysore

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I have the honour to state that there is a dispute in regard to the seniority of the abovenamed two officials who are permanent in grade Rs 40-2-50 which has to be decided On account of this contravery existing between them my predecessor Mr B S Raghavendra Rao did not order the promotion in a promotional vacancy that occurred in grade Rs 50-2-60 a year ago, but posted an official in the last grade of Rs 25-1-40 against this vacancy The official posted to this place being a junior hand and lacking in experience and efficiency, the work allotted to him fell into arrears Having regard to the importance of the work, attached to the post, it was considered undesirable to continue the junior official any longer in this post in the interests of work and so seritum arrangements were made in memo No M4 225/43-44 dated the 30th November 1943 Mr B R Srinivasa Murthy one of the two clerks in grade Rs 40-2-50 referred to above has been promoted to the grade of Rs 50-2-60 on a temporary basis, pending ~~the~~ settlement of the seniority between the two officials and as the other official Mr S A Shamaniah is on other duty in the Food Ration Census Office drawing a higher pay Both these officials have submitted representations, which are enclosed herein, putting forth their claims and urging seniority from their own stand point of view

2 A comparative statement showing the relative claims and position of the two officials is herewith put up and as will be seen therefrom Mr B R Srinivasa Murthy has entered service ~~1-1~~ 10½ years earlier

than Mr Shamanniah To begin with Mr Shamanniah was a Shroff on Rs 25/- from 12-12-1933 till 30th May 1936 when he was appointed to the grade of a clerk in the Deputy Commissioner's office on Rs 31/- in grade Rs 25-1-40 He was transferred to this Municipality in the same grade from 10-4-1938 and was promoted to the next higher grade of Rs 40-2-50 on an acting basis from 1-7-1939 His promotion to this grade being irregular as it was given in a special vacancy intended to be filled up by direct recruitment from the backward community a reference was made to Government and it was subsequently ratified in Government Order No 3878-9/CRB 12-40-13 dated 3-2-1941 Mr Srinivasa Murthy was drawing Rs 40/- when he was promoted to the grade of Rs 40-2-50 from 9-7-1940 before he came to this Municipality on 20-10-1940 When both these officials were thus acting in grade Rs 40-2-50, the question of confirmation came up in the chance that occurred and Mr B R Srinivasa Murthy was confirmed in this grade as per memo dated the 21st May 1941 in preference to the other official Mr Shamanniah, who was in this grade from an earlier date and who had not passed the prescribed Local Boards Examination as required by Government Order No L 7487-507/M1 151-32-15 dated the 8th April 1934 A notice was then issued to this official in May, 1941 to pass the examination at the next opportunity before he could become eligible for confirmation or for granting of further increments in the grade

"E"

3 In the gradation list that was prepared as on 1-12-1941 under the signature of the then President Mr B S Raghavendra Rao, Mr Srinivasa Murthy has been placed above Mr Shamaniah evidently for the reason that the former official was then permanent in the grade while the latter was only acting in the grade On his passing the Local Boards Examination in December 1941, Mr Shamanniah was confirmed in his acting grade from 4-12-1941 which was the last day of of the Examination passed by him, and his representation for confirmation from an earlier date was rejected by my predecessor Taking advantage of the Government Order No L 8181-203/M1 126-41-4 dated the 10th May 1942 allowing two years' time to pass the Examination in the case of the officials transferred from the Revenue

Department and vice versa, his usual increments in the grade were allowed The case of this official does not seem to fall within the purview of this Government Order, which is to take effect from the date of the Order

4 But in the gradation list that was laterly prepared in April 1943 my predecessor has placed Mr Srinivasa Murthy below Mr Shamanniah, which is in contradiction of the original gradation list of December 1941 approved by the same Officer, and this may be probably due to the fact that the higher pay drawn by Mr Shamanniah in the grade then owing to the mis-application of the order dated 10th May 1942 referred to above, has alone been taken into consideration, apart from the other facts of the case

5 As regards the acting period in the grade of Rs 50-2-60 both the officials have acted in this grade in short term vacancies, Mr Srinivasa Murthy having acted for nearly five months and Mr Shamaniah for only two months and fourteen days Besides, Mr Srinivasa Murthy is in receipt of a personal allowance of Rs 10/- per mensem sanctioned to him in Government Order No L 6414-6/ Ml 11-42-61 dated 31-12-1942 Rule 29 of the Revised Rules of Recruitment issued with Government Order No 6-105/CRB 1-34-1 dated 3rd July 1934 indicates that for the purpose of seniority a member of a service shall take rank in any grade of the service according to the date on which he is substantively appointed to the grade According to this rule, the orders of my predecessor placing Mr Shamaniah above Mr Srinivasa Murthy in the gradation list of April, 43 in contravention of the position assigned in the gradation list dated 1-12-41 in the time of the same officer

Put up for reference in mother file

6 I have therefore submitted the case for the orders of Government and I solicit sanction to the entry in the gradation list being ~~revised~~ reversed, so that the seniority of Mr Srinivasamurthy may be maintained

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

SR 2

Komparative statement showing the relative claims and position of Messrs (1) B R Srinivasa Murthy and (2) S A Shamaniah, B Sc ,B T , who are permanent clerks in grade Rs 40-2-50, for the purpose of fixing seniority between these two officials

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No	Name of the official	Qualifications	Date of entry into service	Pay drawn before entering the grade 40-2-50 with date from which he drew the same	Date of entry into the grade of 40-2-50	Date of confirmation in the grade	Present pay in the grade and date from which it is drawn	Acting period in higher grade of Rs 50-2-60, if any	Remarks
	Mr B R Srinivasa-Murthy	(1) S S L C (2) Accts Hr (3) Criminal Hr (4) Incometax (5) Registration (6) Muzrai (7) Excise (8) Ml & Local Bds Exam (9) Rev Lower	18-6-1923	Rs 40/- from 1-12-38	9-7-1940	21-5-1941	Rs 46/- from 9-7-1943 +Rs 10 as personal allowance sanctioned in C O No L 6414-6/M1 11-42-61 dated 31st Dec 1942	Acted in grade Rs 50-2-60 from 27-8-1941 to 25-1-42 for nearly five months	
	Mr S A Shamaniah	(1) B Sc ,B T , (2) Rev Hr (3) Accts-Hr (4) Incometax (5) Registration (6) Muzrai (7) Local Bds Ex 41	12-12-33	Rs 34/- from 15-2-39	1-7-1939	4-12-1941	Rs 48/- from 1-7-1943	Appointed to act in grade 50-2-60 for two months and 14 days from 27-1-42 in a leave vacancy But there is no entry to this effect in the Service Register	

PRESIDENT

Appendix F G —1]

SUBJECT

Section ML
File No 11-43
Serial No 79

Diary No of letter replied to

No L8951

General and Revenue Secretariat

( )

the *194*

To

The Dclt, of ML cl, Mysore

Sir,

Date of issue 27/2

Signed by M.V.C.R.Rao

with reference to your letter No M64-252/43-44 Dy 21-12-43 forwarding for orders of Govt the papers relating to the fixing of the seniority between Messrs B R Srinivasa murthy & S A Shamanmah, permanent clerks in Grade Rs 40-2-50 in the Cff ML office, I am directed to state that for purposes of seniority in the

List of enclosures

ıdied by

ımined by

WD (4161—GPB—60 000—24 10 41

Grade, the Srinivasa murthy should be placed above Mr. Shanmanna, in accordance with the Rules of recruitment
The records are temporarily
I have etc
sd/-
for Secy to Govt
WD Law Deptt
23/2

pages 13